

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ADRANIH ERNAY, ADRIAN ERNAY,
WENDELL WESLEY, OTIS RAGLAND, and
LINDA FAUST,**

Plaintiffs,

v.

CHRIS SWATSKI,

Defendant.

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CIVIL ACTION

NO. 10-1035

ORDER

AND NOW, this 9th day of August 2011, upon consideration of Defendant Swatski's Motion for Reconsideration (Document No. 19, filed July 28, 2011), for the reasons set forth in the Memorandum dated August 9, 2011, Defendant Swatski's Motion for Reconsideration is **GRANTED IN PART AND DENIED IN PART**, as follows:

1. The motion is **GRANTED** with respect to defendant's request that the Court rule on his claim of qualified immunity based on his belief that a parole absconder was at plaintiffs' property the day that he and other agents under his supervision searched plaintiffs' apartments. The Court **RULES** that defendant is not entitled to qualified immunity on this ground; and
2. Defendant's motion is **DENIED** in all other respects.

BY THE COURT:

/s/ Hon. Jan E. DuBois

JAN E. DUBOIS, J.